$rac{1}{2}$ Sterne Kessler **Goldstein Fox**



Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwel Robert W. Esmond Tracy-Gene G. Durkin Michele A. Cimbala Michael B. Ray Robert E. Sokohl Eric K. Steffe Steven R. Ludwig John M. Covert Linda E. Alcorn Robert C. Millonig Lawrence B. Bugaisky Donald J. Featherstone

Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Jeffrey T. Helvey Heidi L. Kraus Peter A. Jackman Teresa U. Medler Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Eldora Ellison Floyd Theodore A. Wood

Joseph S. Ostroff Frank R. Cottingham Christine M. Lhulier Rae Lynn P. Guest George S. Bardmesse Daniel A. Klein* Jason D. Eisenberg Michael D. Spech Andrea J. Kamage Tracy L. Muller* LuAnne M. DeSantis Ann E. Summerfield Aric W. Ledford* Helene C. Carlson Timothy A. Doyle*
Gaby L. Longsworth
Lori A. Gordon* Nicole D. Dretar*

Ted J. Ebersole Jyoti C. Iyer* Laura A. Vogel

Registered Patent Agents •
Karen R. Markowicz Nancy J. Leith Matthew J. Dowd Aaron L. Schwartz Katrina Yujian Pei Quach Bryan L. Skelton Robert A. Schwartzman Teresa A. Colella Jeffrey S. Lundgren Victoria S. Rutherford Michelle K. Holoubek Robert H. DeSelms Simon J. Elliott

Mita Mukherjee Scott M. Woodhouse Christopher J. Walsh

Of Counsel Kenneth C. Bass III Evan R. Smith Marvin C. Guthrie

*Admitted only in Maryland * Admitted only in Virginia • Practice Limited to Federal Agencies

February 8, 2005

WRITER'S DIRECT NUMBER: (202) 772-8525 **INTERNET ADDRESS:** BRIAND@SKGF.COM

Mail Stop: Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 09/732,914; Filed: December 11, 2000

Use of Multiple Recombination Sites with Unique Specificity in

Recombinational Cloning

Inventors:

CHEO et al.

Our Ref:

0942.5010002/RWE/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Thirteenth Supplemental Information Disclosure Statement;
- 2. List of cited references on Form PTO-1449 (2 sheets);
- 3. Copies of references AL23, AS215, AT215 and AT216 listed on Form PTO-1449 (4 documents); and
- 4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents February 8, 2005 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants Registration No. 42,473

BJD/JKM:bac Enclosures

362299_1.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re application of:

Cheo et al.

Appl. No.: 09/732,914

Filed: December 11, 2000

For:

Use of Multiple Recombination Sites with Unique Specificity in

Recombinational Cloning

Confirmation No.: 2341

Art Unit:

1636

Examiner:

Ketter, J.S.

Atty. Docket: 0942.5010002/RWE/BJD/JKM

Thirteenth Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this Thirteenth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Twelfth Supplemental Information Disclosure Statement filed January 28, 2005, in connection with the above-captioned application.

Copies of documents AG20-AK20 and AA21-AI21 are not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application."

Copies of documents AR216 and AS216 are not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is *sua sponte* waived where the cited pending application is stored in the USPTO's IFW system." A copy of each other document is provided.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Patent Application No. 10/913,501, Chesnut *et al.*, filed August 9, 2004 and cited herewith as document **AR216**; and

U.S. Patent Application No. 10/970,635, Hanson, filed October 22, 2004 and cited herewith as document AS216.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to these applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior

Cheo *et al.* Appl. No. 09/732,914

art, and/or to prove that this information may not be enabling for the teachings purportedly

offered.

This statement should not be construed as a representation that a search has been made,

or that information more material to the examination of the present patent application does not

exist. The Examiner is specifically requested not to rely solely on the material submitted

herewith.

This Thirteenth Supplemental Information Disclosure Statement is being filed before the

mailing of a First Office Action after the filing of a Request for Continued Examination Under

37 C.F.R. § 1.114. No statement on fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed

Form PTO-1449, and indicate in the official file wrapper of this patent application that the

documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,

or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono

Attorney for Applicants

Registration No. 42,473

Date:_

1100 New York Avenue, N.W.

Washington, D.C. 20005-3934

(202) 371-2600 360314_1.DOC

FEB 0 8 200		FORM	PTO-1449		ATTY. DOCKET NO. 0942.5010002/RWE/BJD/JKM APPLICANT(S)	APPLICATION No. 09/732,914		Page 1 of 2	
TRADEM	THIRTE		SUPPLEMENTAL	:	Cheo et al. FILING DATE ART UNIT				
INFOR	RMATIO	N DIS	CLOSURE STATEMI	DI 4 Y	December 11, 2000 ART UNIT				
EXAMINER				U.S. PATE	NT DOCUMENTS				
INITIAL		DO	OCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE	
	AA	_		,					
	AB								
	AC								
	AD								
	AE								
	AF								
	AG20	6,	040,138	03/21/2000	Lockhart et al.			09/15/1995	
	AH20	6,	303,301	10/16/2001	Mack			05/29/1998	
	A120	6,	309,822	10/30/2001	Fodor et al.	,,, - ,, - , - , - , - , - , - , - , - 		12/23/1996	
	AJ20	6,	333,155	12/25/2001	Lockhart et al.			12/18/1998	
	AK20	20	002/0162126	10/31/2002	Beach et al.	···		05/24/2001	
	<u> </u>		JF.	OREIGN PA	TENT DOCUMENTS				
EXAMINER INITIAL		DC	OCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATIC	
	AL23	W	O 01/68836	09/20/2001	WIPO			Y	
	AM							Y	
	AN							Y	
	AO					·		Y	
	AP							Y	
	-	T	OTHER (Incl	uding Author	, Title, Date, Pertinent Pages, et	c.)		· · · · · · · · · · · · · · · · · · ·	
	AR								
	AS	215			ew Class II Transposable Ele l. <i>176</i> :2835-2845, American				
	AT	215	Office Action fo	r U.S. Patent	Application No. 10/796,868, r	nailed o	on January 2	5, 2005	
EXAMINER	1	<u> </u>			D.	ATE CO	NSIDERED		
	1			aitation in in conf	formance with MPEP 609. Draw line throu	-1	· : 6 A : 6	manaa and nat	

			0	PEG						
				*				Page 2 of 2		
		FORM	DTG 1440		ATTY. DOCKET NO. 1942.5010002/RWE/BJD/JKM		100 No. 32,914			
	Тирте	CNITH	SUPPLEMENTAL	198	APPLICANT(S) Cheo et al.					
			CLOSURE STATEMI	<u> </u>	FILING DATE ART UNIT					
				I	December 11, 2000	1636	<u> </u>			
EXAMINER	·····	1		U.S. PATEN	NT DOCUMENTS	 -	 			
INITIAL		D	OCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE		
	AA21	6	,544,790	04/08/2003	Sabatini			09/18/2000		
	AB21	2	003/0135888	07/17/2003	Zhu et al.			09/26/2002		
			003/0175772	09/18/2003 02/26/2004				12/26/2002 11/22/2002		
			004/0040053							
	AE21	20	004/0219516	11/04/2004	Bennett et al.			07/18/2003		
	AG21		004/0229229	11/18/2004 12/16/2004 12/30/2004 01/13/2005	Cheo et al. Hartley et al. Chesnut et al. Hartley et al.			08/14/2003 07/19/2004 03/04/2004 08/19/2004		
			004/0253631							
			004/0265863							
AI21		20	005/0009091							
	AJ									
	AK									
EVAMBLED		_	F	OREIGN PAT	TENT DOCUMENTS					
EXAMINER INITIAL		D	OCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION		
	AL							Yes No		
	AM							Yes		
								No Yes		
	AN							No Vos		
	AO							Yes No		
	AP	.		·				Yes No		
			OTHER (Incl	uding Author.	Title, Date, Pertinent Pages, etc.	c.)				
	AR	216	U.S. Patent Application No. 10/913,501, Chesnut <i>et al.</i> , filed August 9, 2004 (NOT PUBLISHED)							
	AS	216	U.S. Patent Application No. 10/970,635, Hanson, filed October 22, 2004 (NOT PUBLISHED)							
	AT	216			eacteriophage λ expression vectors and 16:7583-7600, IRL Pres			ision		
EXAMINER	<u> </u>	L			DA	TE CO	NSIDERED	 		
	Wiltie e			-::				-		
			msidered, whether or not more more market in the market communication in the market communication in the market market in the market ma		rmance with MPEP 609. Draw line through	gn citatio	i ii not in contor	mance and not		